

SEP 20 2005

**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

ADDRESS TO: Mail Stop RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Application No.	10/081,163
Filing Date	February 20, 2002
First Named Inventor	Chubinskaya et al.
Group Art Unit	1641
Examiner Name	Gary W. Counts
Attorney Docket No.	STK-081

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTES**

**RCE vs. CPA:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA.

**FEE AND SUBMISSION REQUIRED:** A submission as used in this section includes, but is not limited to, an information disclosure statement, an amendment to the written description, claims, or drawings, new arguments, or new evidence in support of patentability. If reply to an Office action under 35 U.S.C. 132 is outstanding, the submission must meet the reply requirements of § 1.111 (see 37 C.F.R. 1.114 (e)).

**RCE APPLIES TO:** An application in which prosecution is closed (see 37 C.F.R. § 1.114 (b)).

**RCE DOES NOT APPLY TO:** (1) A provisional application; (2) an application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) an international application filed under 35 U.S.C. 363 before June 8, 1995; (4) an application for a design patent; or (5) a patent under reexamination (see 37 C.F.R. 1.114(e)).

**1. SUBMISSION REQUIRED UNDER 37 C.F.R. § 1.114**

- a. ☐ Enter and consider the unentered amendment under 37 C.F.R. § 1.116 previously filed on \_\_\_\_.
- b. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_.
- c. ☒ Amendment/Response enclosed.
- d. ☐ Affidavit(s)/Declaration(s) enclosed.
- e. ☐ Information Disclosure Statement (IDS) enclosed.
- i. ☐ PTO-1449
- ii. ☐ Copies of IDS Citations
- f. ☐ Other \_\_\_\_\_

**2. RCE FEE REQUIRED UNDER 37 C.F.R. § 1.114**

- a. ☐ Small entity status
- i. ☐ was established in the prior nonprovisional application.
- ii. ☐ is established herewith by the enclosed written assertion of entitlement to small entity status.
- b. ☐ A Petition and Fee for Extension of Time for \_\_\_\_ months up to and including \_\_\_\_ is enclosed herewith.
- c. ☐ A check in the amount of \$ \_\_\_\_ is enclosed.
- d. ☒ The Commissioner is hereby authorized to charge the required fee(s), i.e., \$790.00, to Deposit Account No. 50-1721.
- e. ☒ The Commissioner is hereby authorized to credit overpayments or charge any additional fees required for this submission under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 50-1721.

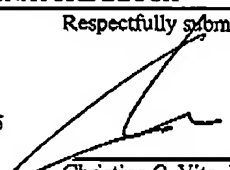
09/22/2005 ZJUHA1 00000006 501721 10081163

01 FC:1801 790.00 DA

Request For Continued Examination (RCE) Transmittal  
Serial No. 10/081,163  
Page 2 of 2

**3. MISCELLANEOUS**

- a. ☐ Return Receipt Postcard enclosed.  
b. ☒ Other: Certificate of Facsimile Transmittal.

CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
Direct all correspondence to: Patent Administrator Kirkpatrick & Lockhart Nicholson Graham LLP 75 State Street Boston, MA 02109-1808 Tel. No.: (617) 261-3100 Fax No.: (617) 261-3175	Respectfully submitted,  Date: September 20, 2005 Reg. No. 39,061 Tel. No.: (617) 261-3150 Fax No.: (617) 261-3175 Christine C. Vito, Ph.D. Attorney for Applicant(s) Kirkpatrick & Lockhart Nicholson Graham LLP 75 State Street Boston, MA 02109-1808

BOS-898375 v1